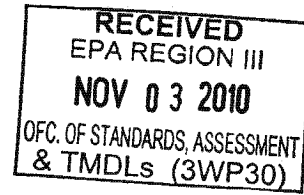


P.O. Box 1945
Martinsburg, WV 25402
November 3, 2010



Region 3
United States Department of Environmental Protection
Philadelphia, Pennsylvania

Hand Delivered to Comfort Inn – Martinsburg

Re: Chesapeake Bay (WV Input – Herbicides & Above-Ground Pools)

Dear Members of the Region 3 Team:

I am writing to ask that the Region 3 Team be diligent in investigating the various sources of pollution from Berkeley County, West Virginia. A report of the loss of yet another tree of size for lumber has died on my land. . . most likely falling victim to the local “thugs” who want trees and indigenous plants forced into extinction so they can have a vinyl covered box on a piece of very dead, dry dirt.

Additionally, no monitoring of the amount of water being taken from large water sources such as Back Creek, is being done. More importantly, the swimming pools being filled are also being cleaned and discharged into Back Creek.

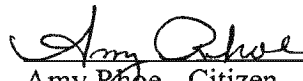
International Property Maintenance Code and the very recent Clean Safe Berkeley County Ordinance practically forbid people on rural land from growing or keeping maintaining indigenous plants and trees, even along Back Creek. Natural fields are being wiped out by development interests. (These laws have been initiated and voted upon unanimously by the current Berkeley County Commission members.

I hope you will come to my 5 acres and look at the devastation that people armed with right-of-way clearing strength herbicides can do. I am asking that my land also be tested to see if it is safe for habitation and for chickens to produce eggs, which I sell. My gardens and lily beds have been saturated with herbicide for approximately 7 years and WV Dept. of Agriculture refuses to enforce the herbicide regulations. My property adjoins Back Creek.

We have great difficulty even keeping an inspector in the Inwood Field Office and senior inspector(s) does not wish to come from Charleston. We need an increase in salary for that inspector and we need two (2) at the very least.

I can be reached at amyrhoe@hotmail.com. My property is physically located at 375 and 522 Wimpy's Lane, Hedgesville, Berkeley County, West Virginia 25427.

PLEASE HELP!


Amy Rhoe - Citizen

**West Virginia Department of Agriculture
Laboratory Services
Capitol Complex-Guthrie Center
Charleston, WV 25305-0177**

LABORATORY REPORT

Date Received: July 30, 2010
Date Reported: August 03, 2010

Name: Berry A. Crutchfield - Plant Industries / Ag. Pest Survey Programs


Address: For: Ben Kunze
WDOF - P.O. Box 66
Inwood, WV 25428

Type of Sample: Vegetation residue

Telephone: 304-229-2665

Lab. No.	Product Identification	Tests			
		* Phenoxy Herbicide			
PR-08-2011	A Vegetation, Oad stem and Foliage Sample # 242	2,4-D = Trace Triclopyr = 1.113 ppm			
	B Solvent blank for Control	ND			

Remarks: * = 2,4-D, Triclopyr (Garlon), 2,4,5-T, Picloram (Tordon)
T Trace = Pesticide noted but too low to quantitate
ppm = parts per million
ND = None Detected

By: 
(304) 558-2208



DIAGNOSTIC REPORT

Ben Kunze
WVDOF
P.O. Box 66
Inwood WV 25428

Sample# 1000242
Field ID
Host Black Oak
Received Date 7/7/2010
County Berkeley
State WV

Amy Rhoe
P.O. Box 1945
Martinsburg WV 25401

304-229-2665

Diagnosis and Recommendations

Host/Habitat	Black Oak (<i>Quercus velutina</i>)
Diagnosis/ID	Confirmed for Herbicide Injury; Exposure (Abiotic disorder)

Final Report

Triclopyr and 2,4-D were detected in your oak sample (see attached report). These are common active ingredients in a variety of broadleaf weed/brush killers (herbicides). This result suggests that herbicides were responsible, at least in part, for the observed plant symptoms.

Pest Identification Lab
1900 Kanawha Blvd, East
Plant Industries Division
Charleston WV 25305-0191
Telephone : 304-558-2212

Diagnosed By :
Berry Crutchfield (bcrutchfield@ag.state.wv.us)
Completed Date: 8/10/2010

Sample#
1000242